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Instruments Law in those States which have not followed the New York numbering.

In the matter of annotations, the book shows a considerable growth. During the first four years after the enactment of the statute, only about a half-dozen cases were reported as arising under it. In the preface to his second edition, the draftsman pointed to this fact as demonstrating "that the practical working of the law has been satisfactory." Alas for the demonstration! During the next six years, the statute was applied and construed in more than two hundred cases. And, worse yet, the courts in different States have disagreed, at times, in their interpretation of its language.

Whether this unsatisfactory state of things is due to defects in statutory expression, or to errors of judges, or is necessarily attendant upon an experiment in codification, we shall not attempt to discuss, much less to decide, at the present time. We cannot help noting the fact, and confessing to some measure of despondency as we face the future of this statute: a statute which has been enacted by nearly forty jurisdictions, in the high hope of making this branch of commercial law uniform throughout the United States.

A comparison of the notes in this volume with those in other commentaries on the Negotiable Instruments Law, shows that some cases under it have escaped Mr. Crawford's attention; although very few of an important character have been omitted. The value of the notes would be much enhanced by the additional citation of unofficial reports, and by giving the year of each decision.

EFFECTS OF WAR ON PROPERTY. By ALMA LATIFI. London: The Macmillan Co. 1909. pp. vii. 155.

Besides two essays on the pros and cons of the immunity of private property of enemies at sea as seen from the point of view of British interests, the volume contains four essays on the law governing: Property of Enemies and Neutrals on Land, Effects of Conquest on Property, Property of Enemies and Neutrals at Sea, and Exceptions to the Rule of Capture of Property at Sea, respectively. Of the two essays on the immunity of "enemy" property at sea, one is written by Professor Westlake, who undertakes to supplement the reasons advanced by Mr. Latifi against the proposal. Mr. Westlake urges that in passing judgment upon the arguments made in support of "this topsy-turvy policy" there is one fundamental principle underlying all warlike operations by land or sea which must not be overlooked, viz., "that what is struck at primarily is not the enemy's property, but the enemy's trade," and that in so far as an enemy on land can "prevent trade which might create resources" for his opponent, "he is not deterred from doing so by the knowledge that his measures cause damage to individuals." Mr. Latifi examines the various aspects of the proposal very exhaustively from the point of British policy, and concludes that to accept "the change would mark the sunset of England's greatness, and her fall from her high place amongst the nations of the earth."

Whether Article 49 of The Hague rules, which permits in cases of military necessity the levy of contributions in addition to the usual taxes, has the effect of denying the right of a wealthy Invading Power to exact contributions while permitting a poor Occupying Power to levy them is answered by the author in the affirmative, on the ground that to deny the right of a poor nation "to make war live on war" would be to condemn countries like Montenegro to certain failure in a war against any one of their neighbors." As regards the levy of contributions by a naval force upon undefended localities, he sees no objection to it, if conducted within the general limitation of military necessity; he thereby escapes the charge of insularity made against Hall and other British writers who contend for the contrary rule. Mr. Latifi, at another point, shows a gratifyingly impartial mind, in respect to British action, when he characterizes the seizure in 1907 by Denmark of the debts due British subjects "as a case, not of confiscation, but of retorsion, justified by the gravest provocation to an unoffending nation." He denies that either reason or recent practice justify the conclusion that an enemy has the right to seize as an ordinary measure of war the property within his territory belonging to the subjects of his opponent. Indeed, in no state to-day do such proprietary rights exist contingent upon the mere fact of war, but it is only as an act of retorsion for injury done that "war gives the right to confiscate the property of an enemy."

The failure to make use of the large body of precedents collected by Mr. Moore in his *International Arbitrations* and his *International Law Digest*, and the omission, apparently, to examine at first hand the cases growing out of the Spanish-American and Russo-Japanese wars, blemishes an otherwise valuable series of studies on the effects of war on property. The book is also defective as a law manual through the omission to give a table of the cases discussed and cited.

THE LAW OF BAILMENTS AND CARRIERS. By PHILIP T. VAN ZILE. 2nd ed. Chicago: Callaghan & Co. 1908. pp. lxiii, 865.

A second edition of this work shows that it has won for itself a place on the shelves of practitioners who wish to have at hand a volume treating concisely of the varied applications of the law of bailments. The first edition, published in 1901, was reviewed in 3 *COLUMBIA LAW REVIEW*, 218. The new edition preserves the merits that were at that time attributed to the old, but the author has made no changes either in the subject matter or his method of treatment which remedy the defects then pointed out. Except that the citation of authorities and the statements of many of the recent developments of the law have been brought down to date with painstaking accuracy, the work stands substantially as when first issued. The author approaches the law of carriers, to which he devotes one half of his space, from the standpoint of the bailment relation and does not treat, to any great extent, of the results flowing from that relation. It was less surprising eight years ago than now that the author should fail to treat many of the important aspects of the law of carriers as but applications of characteristic principles of the wider law of public callings. It seems that the rapid development of public and legal interest in the problems of